

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 North 5th Street
Kansas City, Kansas 66101

In the Matter of:

Cessna Aircraft Company
1 Cessna Blvd
Wichita, KS 67215-1424

CAA 07-2003-0035
) Docket No.
) Clean Air Act
) 42 U.S.C. § 7401 et seq.

ADMINISTRATIVE COMPLIANCE ORDER

Pursuant to Section 113(a)(3)(B) of the Clean Air Act (the Act), 42 U.S.C. § 7413, as amended, Cessna Aircraft Company, is hereby ordered to comply with the requirements of Section 112 of the Act, 42 U.S.C. § 7412, and the regulations promulgated thereunder.

1. Regulations promulgated pursuant to Section 112 of the Clean Air Act at 40 C.F.R. Part 63 Subpart GG require affected sources to store fresh and spent cleaning solvents, except semi-aqueous solvent cleaners, used in aerospace cleaning operations in closed containers.
2. Under 40 C.F.R. Part 63 Subpart GG Cessna Aircraft Company is an affected source.
3. On or about June 30, 2000, an inspection conducted by an inspector from the Wichita-Sedgwick County Department of Community Health documented storage of fresh and spent cleaning solvent in open containers in violation of 40 C.F.R. Part 63 Subpart GG, Section 63.744(a)(2)
4. Section 113(a)(3)(B) of the Act grants EPA the authority to issue an Order to Comply to any person found in violation of Subchapter I of the Act and the regulations promulgated pursuant thereto.
5. Accordingly, Cessna is ordered to comply with the requirements of 40 C.F.R. Part 63 Subpart GG.

Specifically, EPA orders Cessna Aircraft Company to comply with 40 C.F.R. Part 63 Subpart GG, Section 63.744(a)(2) at all Cessna facilities in EPA Region VII, by: (1) within one hundred and eighty (180) days from the date of this order Cessna Aircraft Company shall store fresh and spent cleaning solvents, except semi-aqueous solvent cleaners, used in aerospace cleaning operations in closed containers, and (2) notify EPA in writing that Cessna is in compliance. Said notification shall be sent to the Director, Air, RCRA, and Toxics Division, Region VII, EPA at the above address .

Failure to comply with any of the provisions of this Order may result in an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413. Under Section 113(a) of the Act, the Administrator is authorized to address such a violation as follows:

1. Issue an administrative penalty Order assessing a civil penalty not to exceed \$27,500 per day of violation;
2. Bring a civil action for permanent or temporary injunction, or to recover a penalty not to exceed \$27,500 per day of violation, or both; or
3. Request the Attorney General to commence a criminal action pursuant to Section 113(c) of the Act.

Issuance of this Order does not preclude the Kansas Department of Health and Environment or EPA from assessing penalties or taking any other action authorized under the Act. This Order does not affect the obligation of Cessna Aircraft Company to comply with all federal, state and local statutes, regulations and permits.

All information and documents submitted by Cessna Aircraft Company to EPA pursuant to this Order shall be subject to public inspection unless identified as confidential by Cessna Aircraft Company, in accordance with the requirements of 40 C.F.R. Part 2. Information and documents so identified will be disclosed only in accordance with the provisions of 40 C.F.R. Part 2. You should read the regulation at 40 C.F.R. Part 2, Subpart B, carefully before asserting a business confidentiality claim, since certain categories of information are not properly subject to such a claim.

12/3/02
Date

William A. Spratlin
William A. Spratlin, Director
Air, RCRA, and Toxics Division